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10/747,949	12/31/2003	Seok Hwa Jeong	0465-1116P	6947
2292 7590 03/17/2011 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
ALVESTEFFER, STEPHEN D				
ART UNIT		PAPER NUMBER		
2175				
NOTIFICATION DATE		DELIVERY MODE		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/747,949

**Applicant(s)**

JEONG, SEOK HWA

**Examiner**

Stephen Alvesteffer

**Art Unit**

2175

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-12, 14-22, 26-39 and 44-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-12, 14-22, 26-39 and 44-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This Office Action is responsive to the Request for Continued Examination (RCE) filed August 25, 2010. Claims 1, 2, 11, 21, 22, 30, and 46 are amended. Claims 4-6, 13, 23-25, 40-43, and 47-49 were previously cancelled. Claims 1, 21, and 46 are independent. Claims 1-3, 7-12, 14-22, 26-39, and 44-46 remain pending.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7, 9-12, 14-22, 26, 28-38, and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Given, United States Patent 6,282,655, and Sanyo Multimedia Projector PLV-70 Owner's Manual (hereinafter Sanyo). The Sanyo reference was retrieved from [http://www.projectorcentral.com/pdf/projector\\_manual\\_1730.pdf](http://www.projectorcentral.com/pdf/projector_manual_1730.pdf), published to the public on or before August 2002 according to the "First Ship" date found on the product data page at <http://www.projectorcentral.com/Sanyo-PLV-70.htm?print=1>.

**Regarding claim 1**, Given substantially teaches a method of providing an advance screen saver warning for a display apparatus, the method comprising:

predetermining a screen saver standby time and an advance screen saver warning time, wherein the advance screen saver warning time is less than or equal to the screen saver standby time (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver"*, in this example, the screen saver standby time is 60 seconds, while the advance screen saver warning time is 5 seconds);

counting a current system idle time during which no system input activity is detected (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert."*, the time in which the ICU has not detected motion is the current system idle time);

activating an advance screen saver warning before activating a screen saver if the current system idle time is greater than or equal to a time difference between the screen saver standby time and the advance screen saver warning time (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for*

*perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver", the sonic alert is the advance screen saver warning); and*

continuously displaying the activated advance screen saver warning by the display apparatus until system activity by a user of the system is detected (Sanyo, addressed below);

deactivating the advance screen saver warning so that it is no longer displayed when a system input activity is detected, wherein the screen saver is activated when the current system idle time is greater than or equal to the screen saver standby time (see Given column 3 line 58 through column 4 line 16, "*If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver", the screen saver is deactivated if motion is detected, while it is activated when the idle time is greater than or equal to the screen saver standby time); and*

controlling, during the continuous execution of the advance screen saver warning, the display apparatus to output at least one of a specified sound and a visual warning message window indicative of a time difference between the screen saver standby time and current system idle time (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert"*, output a specified sound).

Given does not disclose continuously displaying the activated advance screen saver warning by the display apparatus until system activity by a user of the system is detected. Given only teaches issuing a sonic alert (Given column 3 lines 58 through column 4 line 16). Sanyo teaches continuously displaying a *"counting down display"* prior to turning the Projection Lamp off, *"when input signal is interrupted and any button is not pressed over 5 minutes"* (see Sanyo page 37). It would have been obvious to one having ordinary skill in the art at the time the invention was made, having the prior art disclosures of Given and Sanyo laid before him, to provide a continuous countdown display as taught by Sanyo in the invention of Given to provide a visual warning in addition to or instead of an audio warning so that users will be warned of the screen saver even if the audible warning was not heard or the workstation sound is disabled.

**Regarding claim 2**, Given/Sanyo teaches deactivating the advance screen saver warning and activating the screen saver if the current system idle time is greater than or equal to the screen saver standby time (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user*

*programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver", the screen saver is deactivated if motion is detected, while it is activated when the idle time is greater than or equal to the screen saver standby time).*

**Regarding claim 3**, Given/Sanyo teaches that the deactivating the advance screen saver warning and the activating the screen saver are performed simultaneously (see Sanyo page 37 "Power management"; *"This function turns Projection Lamp off when this projector detects signal interruption and is not used for a certain period"*).

**Regarding claim 7**, Given/Sanyo teaches that the visual warning message window includes at least one of a textual representation and a graphical representation indicating the remaining time (see Sanyo page 37, "No signal 4:50" figure on bottom right corner).

**Regarding claim 9**, Given/Sanyo teaches that the visual warning message window is displayed on a predetermined screen portion of the display screen, which is automatically determined by default or is manually determined by an operator (see Sanyo page 37, "No signal 4:50" figure on bottom right corner).

**Regarding claim 10**, Given/Sanyo teaches undisplaying the visual warning message window from the display screen if any system input activity is detected (see

Sanyo page 37 "Power management"; *"Power Management function operates to turn Projection Lamp off when input signal is interrupted and any button is not pressed over 5 minutes")*.

**Regarding claim 11**, Given/Sanyo teaches undisplaying the visual warning message window and activating the screen saver if the current system idle time is greater than or equal to the screen saver standby time (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver"*, the screen saver is deactivated if motion is detected, while it is activated when the idle time is greater than or equal to the screen saver standby time; see also Sanyo page 37 "Power management"; *"Power Management function operates to turn Projection Lamp off when input signal is interrupted and any button is not pressed over 5 minutes")*).

**Regarding claim 12**, Given/Sanyo teaches that the visual warning message window is an on-screen-display (OSD) window (see Sanyo page 37, "No signal 4:50" figure on bottom right corner).

**Regarding claim 14**, Given/Sanyo teaches that the specified sound is any one of a computer-generated sound and a human voice indicating a time until the screen



saver is activated (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert."*).

**Regarding claim 15**, Given/Sanyo teaches that the screen saver standby time is a total length of system idle time that must elapse before activating the screen saver (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver"*, in this example the screen saver standby time is 60 seconds).

**Regarding claim 16**, Given/Sanyo teaches that the advance screen saver warning time is a length of time during which the advance screen saver warning is continuously activated before activating the screen saver (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the*

*sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver", in this example, the advance screen saver warning time is 5 seconds).*

**Regarding claim 17**, Given/Sanyo teaches that the screen saver standby time is predetermined to an automatically assigned default value or a manually selected value (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver"*).

**Regarding claim 18**, Given/Sanyo teaches that the advance screen saver warning time is predetermined to an automatically assigned default value or a manually selected value (see Given column 3 line 58 through column 4 line 16, *"If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in*

*say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver").*

**Regarding claim 19,** Given/Sanyo teaches that the system input activity includes at least one of a horizontal synchronization signal, a vertical synchronization signal, and a manual user input (see Given column 3 line 58 through column 4 line 16, *"This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box."*).

**Regarding claim 20,** Given/Sanyo teaches that the manual user input is made by a user through a keyboard or mouse (see Given column 3 line 58 through column 4 line 16, *"This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box."*).

**Claims 21, 22, 26, 28-37** recite a display apparatus having substantially the same limitations as the method of claims 1, 3, 7, 9-12, 20, 14-16, 19, and 20.

Therefore, the claims are rejected under the same rationale.

**Regarding claim 38,** Given/Sanyo teaches a memory coupled to the controller for storing the predetermined screen saver standby time and advance screen saver warning time (see Given column 3 lines 46-57, *"One possible implementation of the ICU is to implement it with a cheap programmable microprocessor using non-volatile memory to save user settings when power is removed. The ICU could be programmed from a system command file at power-up time with all the user options. Such a*

*command file can be tailored to user preferences employing an ordinary editor on a provided program template during initial installation or at any time afterwards. The ICU would come with factory defaults should the user not want to bother with programming it.”).*

**Regarding claim 44,** Given/Sanyo teaches that the predetermined screen saver standby time and advance screen saver warning time are manually set by a user of the display apparatus (see Given column 3 lines 46-57, “*One possible implementation of the ICU is to implement it with a cheap programmable microprocessor using non-volatile memory to save user settings when power is removed. The ICU could be programmed from a system command file at power-up time with all the user options. Such a command file can be tailored to user preferences employing an ordinary editor on a provided program template during initial installation or at any time afterwards. The ICU would come with factory defaults should the user not want to bother with programming it.”*; see also Given column 3 line 58 through column 4 line 16, “*If the ICU has not detected motion for perhaps 55 (user programmable) seconds (the lowest keyboard inactivity timeout value for a screen saver in Windows98 is 60 seconds) it could issue a sonic alert. This very act would cause the quiet reader to look up momentarily, providing just enough motion for the ICU to reset the keyboard inactivity timer by sending a keystroke to the system box. For OM2, the sonic alert could serve as a reminder that, in say 5 (user programmable) seconds, the terminal will be locked up with the password protected screen saver”*).

**Claim 45** recites a display apparatus with substantially the same limitations as the method of claim 44. Therefore, claim 45 is rejected under the same rationale.

**Claim 46** recites a method having substantially the same limitations as the method of claim 11. Therefore, claim 46 is rejected under the same rationale.

Claims 8, 27, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Given (US 6,282,655) *supra*, Sanyo (Non-patent) *supra*, and Pollack, United States Patent 5,153,580.

**Regarding claim 8**, Given/Sanyo teaches every limitation of claim 8 except that the graphical representation included in the warning message window is any one of a bar-type graph, a clock-type graph with a moving indicator, and a pie-type graph. Pollack teaches a retriggerable sleep timer display having a bar graph display indicating the time remaining until the display turns off (see Pollack Figure 5 and column 6 line 63 through column 7 line 20; "*In FIG. 5, a bar graph 520 is displayed along with the video on a screen 510 of a television receiver 500. The bar may be indicative of time remaining until turn off*"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a graphical indication of the remaining time as taught by Pollack with the invention of Given/Sanyo in order to provide users with a graphical warning of a disruptive event such as the screen saver coming on.

**Claim 27** recite a display apparatus having substantially the same limitations as the method of claims 8 respectively. Therefore, the claims are rejected under the same rationale.

**Regarding claim 39**, Given/Sanyo does not explicitly disclose that the memory is an Electrically Erasable Programmable Read-only Memory (EEPROM). Given only discloses that the memory is non-volatile (see Given column 3 lines 46-57). Pollack teaches a similar invention that makes explicit use of EEPROM (see Pollack column 2 line 53 through column 3 line 9; *"The term "RAM" is also intended to include electrically-erasable programmable read only memory (EEPROM)"*). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use EEPROM as taught by Pollack in the invention of Given/Sanyo because EEPROM is known in the art as a type of non-volatile memory.

### ***Response to Arguments***

In response to the 35 USC 112 first paragraph rejection, Applicant asserts that the language "if the current system idle time is different than a time difference..." clearly is supported by the specification language "if the current system idle time is greater than or equal to a time difference..." because if a screen saver time is greater than or equal to a time difference, it is clearly different than that time difference. Examiner respectfully disagrees because, while Applicant's assertion is logically true, it broadens the scope of the claims beyond what was disclosed in the specification. Stating that "the current system idle time is different than a time difference" also includes the condition that the system idle time is less than the time difference, which is unsupported in the specification.

However, Applicant has amended the claims so that the "if the current system idle time is different than a time difference..." language is no longer recited, rendering the 35 USC 112 first paragraph rejection moot. Accordingly, the 35 USC 112 first paragraph rejection is withdrawn.

Applicant asserts that by referencing the Sanyo Manual in the Office Action dated November 10, 2009, the Examiner has conceded that Hung-yi does not teach predetermining a screen saver standby time, an advance screen saver warning time, activating an advance screen saver warning before activating a screen saver if the current system idle time is greater than or equal to a time difference between the screen saver standby time and the advance screen saver warning time. Examiner respectfully disagrees.

Hung-yi **does** teach predetermining a screen saver standby time, and an advance screen saver warning time. By referencing the Sanyo Manual in the Office Action dated November 10, 2009, Examiner only conceded that Hung-yi does not teach "counting a current system idle time". The Sanyo Manual was used as the primary reference because it teaches "counting a current system idle time", which is a feature central to Applicant's claimed invention. Both the Sanyo Manual and Hung-yi teach a displayed warning timer counting down to display-preserving action (power down or screen saver). However, the Sanyo Manual counts a current system **idle** time, while Hung-yi counts system **usage** time.

However, this point is moot because Hung-yi is no longer used as a reference in this Office Action.

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Alvesteffer whose telephone number is (571)270-1295. The examiner can normally be reached on Monday-Friday 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Stephen Alvesteffer  
Examiner  
Art Unit 2175

/S. A./  
Examiner, Art Unit 2175

/William L. Bashore/  
Supervisory Patent Examiner, Art Unit 2175